

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ERIC KADES,)	
INDIVIDUALLY, AND ON BEHALF OF)	
ALL OTHERS SIMILARLY SITUATED,)	
Plaintiff)	CIVIL ACTION NO. 09-6119
)	
vs.)	
)	
LG ELECTRONICS, U.S.A., INC.,)	
Defendant.)	

DEFENDANT LG ELECTRONICS U.S.A., INC.’S
STATEMENT IN SUPPORT OF AGREED MOTION TO TRANSFER VENUE TO THE
DISTRICT OF NEW JERSEY

Defendant LG Electronics U.S.A., Inc. hereby submits the following statement in support of its motion to transfer venue to the District of New Jersey:

LG USA has filed a motion to transfer this matter to the United States District Court for the District of New Jersey. One of several reasons for the transfer was that the parties had signed a written stipulation agreeing to the transfer. After receiving the motion, counsel for Plaintiff claimed in an e-mail to counsel for LG USA that at some unspecified time he “withdrew” the stipulation.

Counsel for LG USA is not aware of any withdrawal of the stipulation. During the parties’ phone conference with the Court on January 27, counsel for LG USA specifically explained that the parties had stipulated in writing to the transfer, and counsel for Plaintiff did not at that time withdraw the stipulation. Nor did counsel for LG USA speak to or receive any e-mails or letters from counsel for Plaintiff withdrawing the stipulation.

Nonetheless, LG USA thought it appropriate to inform the Court of the claim made today by Plaintiff's counsel that the stipulation was withdrawn. Transfer remains appropriate for the reasons stated in LG USA's motion, whether or not counsel for Plaintiff intends to stand by the written stipulation.

Dated: February 25, 2010

Respectfully submitted,

LAVIN O'NEIL RICCI CEDRONE AND DISIPIO

By: /s/ Joseph E. O'Neil

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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2010, the foregoing Statement in Support of Motion to Transfer Venue to the District of New Jersey was filed electronically and served upon the following counsel via the ECF system.

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